

## **REMARKS**

### **I. Introduction**

Claims 20-23, 25-27, 29-31, and 33-35 are pending in the current application. In the Office Action dated Nov. 18, 2008, the Examiner objected to claim 22 due to an informality and rejected claims 20-23, 25-27, 29-31, and 33-35 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,301,609 ("Aravamudan") in view of U.S. Pat. No. 6,430,604 ("Ogle"). In this Amendment, Applicant has amended claims 20, 22, 25, 27, 29, and 33.

### **II. The Proposed Combination Does Not Render Claim 20 Unpatentable**

Independent claim 20 recites audibly communicating a status of at least one member of a group over a voice telephone call. In the Office Action, the Examiner asserts that Aravamudan teaches communicating a notification message stored in a storage device over a telephone call, but acknowledges that Aravamudan fails to teach audibly communicating the notification message. However, the Examiner asserts that Ogle teaches audibly communicating a notification message by passing a textual message through a text-to-speech transformer. Therefore, the Examiner asserts that Aravamudan in view of Ogle teaches the above-recited element of claim 20.

Aravamudan is directed to assignable associate priorities for user-definable instant messaging buddy groups. Generally, in the cited portions of Aravamudan, a user interacts with client premises equipment (CPE) to log into a communication services platform (CSP). Upon receiving notification of the user's presence online, the CSP checks for any outstanding data, communication, or notifications received and held in abeyance during the time period for which the user had been off-line or inactive. The outstanding data, communication, or notifications received and held in abeyance are then communicated to the user in an instant message. Applicant submits that in the cited portions of Aravamudan, the information is communicated to the user as part of an instant message over a data call rather than a voice telephone call as recited in claim 20.

Accordingly, the proposed combination of Aravamudan and Ogle fails to teach audibly communicating a status of at least one member of a group over a voice telephone call. For at least this reason, the proposed combination of Aravamudan and Ogle necessarily does not render independent claim 20, or any claim that depends on claim 20, unpatentable.

### **III. The Proposed Combination Does Not Render Claim 25 Unpatentable**

Independent claim 25 recites audibly communicating a detected status of a first member and a detected status of a second member over a voice telephone call. As discussed above, the proposed combination of Aravamudan and Ogle fail to teach this element. For at least this reason, the proposed combination of Aravamudan and Ogle necessarily does not render independent claim 25, or any claim that depends on claim 25, unpatentable.

### **IV. The Proposed Combination Does Not Render Claim 29 Unpatentable**

Independent claim 29 recites a computer-readable storage medium comprising a set of instructions to direct a processor to perform the act of audibly communicating a status of at least one member of a group over a voice telephone call. As discussed above, the proposed combination of Aravamudan and Ogle fail to teach this element. For at least this reason, the proposed combination of Aravamudan and Ogle necessarily does not render independent claim 29, or any claim that depends on claim 29, unpatentable.

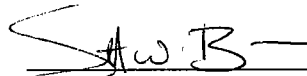
### **V. The Proposed Combination Does Not Render Claim 33 Unpatentable**

Independent claim 33 recites audibly communicating a notification message of an online status of a user stored in a storage device over a voice telephone call. As discussed above, the proposed combination of Aravamudan and Ogle fail to teach this element. For at least this reason, the proposed combination of Aravamudan and Ogle necessarily does not render independent claim 33, or any claim that depends on claim 33, unpatentable.

## VI. Conclusion

In view of the foregoing remarks and amendments to the claims, Applicant submits that the pending claims are in condition for allowance. Reconsideration is therefore respectfully requested. If there are any questions concerning this Response, the Examiner is asked to phone the undersigned attorney at (312) 321-4200.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S.W. Brim", is written over a horizontal line.

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